IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2006

C O R A M

THE HONOURABLE MR. JUSTICE P.SATHASIVAM

WRIT PETITION NO.28042 of 2004
& WPMP Nos.34070 & 34071 of 2004

R.Thennarasu ... Petitioner

vs.

The Tamil Nadu Industrial Investment
Corporation ltd.,
692, Anna Salai, Nandanam,
Chennai-600 035. .. Respondent

Petition under Article 226 of The Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order TIIC/CHBR/POSS/VRV/2004-05 dated 22.09.2004 passed by the respondent and quash the same and consequently forbear the respondent from selling the three wheeler Autorickshaw Delivery Van, Piaggio Ape bearing registration No.TN 09 V 9870 by auction sale and direct the respondent to return back the three wheeler Autorickshaw Delivery Van, Piaggio Ape bearing registration No.TN 09 V 9870.

For petitioner ... Mr.G.K.Harihara Rajan
For Respondent ... Mr.V.Kalyanaraman for
M/s Aiyar & Dolia

O R D E R

Aggrieved by the order dated 22.09.2004 passed by the respondent, the petitioner has filed the above writ petition to quash the same and consequently forbear the respondent from selling his three wheeler viz., autorickshaw Delivery Van Piaggio Ape bearing registration No.TN 09 V 9870 by auction sale and direct the respondent to return back the three wheeler Autorickshaw Delivery Van Piaggio Ape bearing registration No.TN 09 V 9870.

2. Heard the learned counsel for the petitioner as well as the respondents.

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3. Though the learned counsel for the petitioner has raised several grievances including the fact that his security deposit, which is lying with the respondent and also repayment of certain instalments, I am of the view that those factual details cannot be gone into by this Court, as if, this is an appeal Court. On the other hand, I am equally of the view that the grievance expressed by the petitioner cannot be ignored lightly.

4. In such circumstances, I am of the view that ends of justice would be met by permitting the petitioner to make proper representation to the respondent highlighting all the grievances including the payment of instalments, security deposit, availability of one time settlement scheme etc., along with Demand Draft for a sum of Rs.10,000/-(Rupees ten thousand only) within a period of two weeks from the date of receipt of a copy of this order. If any such representation is made along with the Demand Draft as mentioned above, the respondent is directed to consider the same including return of the vehicle and availability of any scheme that is applicable to the petitioner and intimate the same to him. It is made clear that if the petitioner fails to make representation with Demand Draft for Rs.10,000/- within the time as mentioned above, the respondent is free to proceed further.

5. With the above observations, the writ petition is disposed of. No costs. WPMP Nos.34070 and 34071 of 2004 are closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

raa

To

The Branch Manager,
The Tamilnadu Industrial Investment,
Corporation Limited,
No.692, Anna Salai, Nandanam, Chennai-35.

1 cc to Mr.G.K.Harihara rajan, Advocate, SR. 6338

W.P.NO.28042 of 2004

MS (CO)
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